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Apartment bedrooms lacked smoke alarms

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By AMANDA RICKER, Chronicle Staff Writer |

Several bedrooms in the apartment gutted by fire Tuesday did not have smoke alarms - including the room where two men were found dead, said Deputy Fire Chief Greg Megaard.

Firefighters found a wall mount for a smoke alarm, but not the alarm itself in the third-floor apartment where the bodies of Dale Beard and Jacob Neuman were found, Megaard told the Chronicle.

Only the first-floor apartment in the building had smoke alarms in each sleeping room, he said. The building's second-floor apartment only had a smoke alarm in a hallway.

Built in 1983, before building codes were updated, the building was not required to have smoke detectors in each bedroom, Bozeman Fire Chief Jason Shrauger said.

Apartment buildings built before 1991 in Montana are only required to have one fire alarm per apartment, installed in a centrally located area, Shrauger said.

Apartment buildings constructed today are required to have alarms in each sleeping area, firewalls and adequately sized windows to escape a fire. They are not required to have sprinkler systems.

But the new rules only apply to new construction and remodels.

Building owners are not required to conform to the most recent building standards until they want to make changes and need a permit to do so, Shrauger said.

The only reason the first-floor apartment had smoke alarms in each bedroom was because tenant Dusty Delmotte called the fire department and requested them.

Delmotte, who lived in the apartment with her husband and 5-month-old baby, asked firefighters to install them in May after she moved in and noticed there weren't any.

Still, she said even those smoke alarms didn't go off right away.

"They didn't go off for a long time, and they were brand new," she said. "I don't know why they wouldn't."

Rob Stark, who owns the building, said no residents had ever expressed concerns about the smoke alarms to him. He said he was unaware it was an issue and would have gladly installed the devices.

"This is just a nightmare for a landlord," he said. "I can't imagine what it's like for the people who lived there and the families of these guys."

According to the United States Fire Authority, the majority of deaths from fires are in homes without a working smoke alarm.

Montana's Landlord-Tenant Act states that building owners should provide smoke detectors, but that tenants are responsible for keeping them

in working order, said Klaus Sitte, litigation director for Montana Legal Services, a nonprofit that offers legal assistance on landlord-tenant issues.

Shrauger said residents should check the batteries on their smoke alarm twice a year, or every time they change the clock for daylight savings time.

"Very frequently, we go into buildings where the smoke detectors have been disabled," Shrauger said.

He encouraged anyone with questions about whether their home is safe in the event of a fire to call the Bozeman Fire Department at 582-2350.

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